

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

|                               |                                     |
|-------------------------------|-------------------------------------|
| LAWRENCE ANTHONY PAGE,        | )                                   |
| Petitioner                    | )                                   |
|                               | )                                   |
| vs.                           | ) Civil Action No. 04-1364          |
|                               | ) Judge Joy Flowers Conti/          |
| FRANK GILLIS; THE DISTRICT    | ) Magistrate Judge Amy Reynolds Hay |
| ATTORNEY OF THE COUNTY OF     | )                                   |
| ALLEGHENY; BOARD OF PROBATION | )                                   |
| AND PAROLE,                   | )                                   |
| Respondents                   | )                                   |

AND NOW, this 31st day of October, 2005, after the petitioner, Lawrence Anthony Page, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, upon consideration of the objections filed by petitioner, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the petition filed pursuant to 28 U.S.C. § 2254 is dismissed;

IT IS FURTHER ORDERED that a certificate of appealability is denied;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

/s/ Joy Flowers Conti  
JOY FLOWERS CONTI  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

Lawrence Anthony Page  
DS-9886  
SCI Coal Township  
1 Kelley Drive  
Coal Township, PA 17866-1021